

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**HECTOR GONZALEZ JIMENEZ,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA, Warden,**

**Respondent.**

**CASE NO. 2:07-cv-819**

**CRIM. NO. 2: 03-cr-079**

**JUDGE SARGUS**

**MAGISTRATE JUDGE KEMP**

**OPINION AND ORDER**

On September 12, 2007, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings in the United States District Courts recommending that the instant motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation* and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action hereby is **DISMISSED**.

**IT IS SO ORDERED.**

 10-1-2007  
EDMUND A. SARGUS, JR.  
United States District Judge